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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)
12 Plaintiff,) NO. CR.S-05-165 GEB
13 v.) **STIPULATION AND ORDER;**
14 ANTONIO JOSE MURILLO,) **EXCLUSION OF TIME**
15 Defendant.)
16) Date: October 20, 2006
17) Time: 9:00 a.m.
18) Judge: Hon. Garland E. Burrell, Jr.
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IT IS HEREBY STIPULATED by and between the parties hereto through
their respective counsel, JASON HITT, Assistant United States Attorney,
attorney for Plaintiff, RACHELLE BARBOUR, Assistant Federal Defender,
attorney for Defendant, that the status conference hearing date of
September 22, 2006 shall be rescheduled for October 20, 2006 at 9:00
a.m.

This continuance is requested as defense counsel needs additional
time to attempt to resolve the case with a plea agreement, to review
the defendant's options regarding the case, to examine the defendant's
potential exposure regarding sentence, and to continue investigating
the facts of the case.

1 Accordingly, all counsel and the defendant agree that time under
2 the Speedy Trial Act from the date this stipulation is lodged, through
3 October 20, 2006, should be excluded in computing the time within which
4 trial must commence under the Speedy Trial Act, pursuant to Title 18
5 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4.

6 Respectfully submitted,

7 DANIEL J. BRODERICK
8 Federal Defender

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10 DATED: September 21, 2006

11 /s/ RACHELLE BARBOUR
12 RACHELLE BARBOUR
13 Assistant Federal Defender
14 Attorney for Defendant

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16 DATED: September 21, 2006

17 McGREGOR SCOTT
18 United States Attorney

19 /s/ RACHELLE BARBOUR
20 JASON HITT
21 Assistant U.S. Attorney
22 Attorney for Plaintiff

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24 **O R D E R**

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26 **IT IS SO ORDERED.** Time is excluded and the hearing continued on
27 the dates and upon the grounds set forth above in the interests of
28 justice pursuant to 18 U.S.C. § 3161 (H) (8) (B) (iv) and Local Code T4.

Dated: September 26, 2006

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30 /s/ Garland E. Burrell, Jr.
31 GARLAND E. BURRELL, JR.
32 United States District Judge